

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 08-CR-20289

vs.

HON. GEORGE CARAM STEEH

D-1 DAVID ERIKE MACLLOYD

Defendant.

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ORDER DENYING CERTIFICATE OF APPEALABILITY

This matter comes before the court on remand from the Sixth Circuit Court of Appeals for determination of whether to grant or deny a certificate of appealability to defendant David MacLloyd. On May 24, 2018, this court entered its Order Denying Defendant's 28 U.S.C. § 2255 Motion but did not issue or deny a certificate of appealability as it is required to do pursuant to Rule 11(a) of the Rules Governing Section 2255 Proceedings for the United States District Courts. A certificate of appealability may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Defendant in this case has made no such showing. For this reason, a certificate of appealability is DENIED.

Dated: October 26, 2018

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
October 26, 2018, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk